

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services- Allegation of demand and acceptance of bribe against Sri Yadagani Venkata Ramana, Mandal Surveyor, Office of the Tahasildar, Tadepalligudem Mandal working as Mandal Surveyor on deputation in the Office of the Tahasildar, Jangareddigudem Mandal, West Godavari District- -Trapped on 17-11-2008 by Anti Corruption Bureau - Sanction for Prosecution - Orders- Issued.

REVENUE (VIGILANCE.IV(2) DEPARTMENT

G.O.Ms.No. 622,

Dated:-22-6-2009

ORDER:

Whereas, Sri Yadagani Venkata Ramana, S/o Venkata Ratnam, Mandal Surveyor, Office of the Tahasildar, Tadepalligudem Mandal, West Godavari District worked as Mandal Surveyor on deputation in the office of Tahasildar, Jangareddigudem Mandal, West Godavari District during the period from 05-10-2006 to 17-11-2008 and as such he is a public servant as defined under section 2(c) of the Prevention of Corruption Act,1988 (Act 49 of 1988);

2. And whereas, One Sri Pothana Ashok S/o Seshagiri Rao is a Resident of Bayyannagudem Village, Koyyalagudem Mandal, West Godavari District eking his livelihood by doing Computer business in Bayyanagudem Village, Koyyalagudem Mandal, West Godavari District. About 25 years also Sri Pothana Ashok got 4.00 Acres of land in Rs.No.443 from his Junior Paternal Uncle by name Sri Pothana Visweswara Rao. Ever since, Sri Ashok has been in possession and enjoyment of the said land and also obtained Pattadar Pass Book and title deed for the above land from the Tahasildar. As Sri Pothana Ashok was having disputes with his neighbouring land owners. He submitted an application in the office of Tahasildar on 29-05-2008 by remitting

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Rs.250/- in the form of Challan No.2232 in SBI, Jangareddigudem with a request to survey the land in R.S.No.443. The Tahasildar, who verified the application, asked Sri Pothana Ashok to meet Sri Yadagani Venkata Ramana, Mandal Surveyor, Jangareddigudem Mandal and handover the same. Accordingly, Sri Pothana Ashok met Sri Yadagani Venkata Ramana, who received the application and replied that he will conduct survey within 4 or 5 days. In spite of repeated requests by Sri Pothana Ashok, Sri Yadagani Venkata Ramana did not conduct survey. Finally on 12-11-2008 Sri Pothana Ashok, who met Sri Y. Venkata Ramana at the office of the Tahasildar, Jangareddigudem and pleaded that 5 months delay in conducting survey is causing much more disputes among farmers and therefore requested to conduct survey immediately. Then Sri Yadagani Venkata Ramana demanded Rs.3,000/-(Rupees Three Thousand only) as bribe for conducting survey and arranging sub-division. When Sri Pothana Ashok questioned the need for paying bribe, when he remitted Rs.250/- challan, Sri Yadagani Venkata Ramana replied aggressively that survey will not be conducted at all, unless the bribe amount is paid. When Sri Pothana Ashok expressed his inability to pay such huge amount as bribe. Sri Yadagani Venkata Ramana reduced the same to Rs.1500/- and stated that he will not come for survey till the amount is paid. Left with no option Sri Pothana Ashok expressed his willingness to pay the bribe amount. Sri Yadagani Venkata Ramana, formerly Mandal Surveyor, Office of the Tahasildar, Jangareddigudem Mandal, West Godavari District also stated that he will issue the notices only after the payment of bribe amount on or before 18-11-2008. Sri Yadagani Venkata Ramana, Formerly Mandal Surveyor, Office of the Tahasildar, Jangareddigudem Mandal, West Godavari District also advised Sri Pothana Ashok to get the notices executed through the Village Servant. As Sri Pothana Ashok was not willing to pay the bribe amount, he reported the same to the Deputy Superintendent of Police, Anti Corruption Bureau, Eluru Range on 12-11-2008 at 17.00hrs, who entrusted the same to the District Inspector for causing discreet enquiries. After receipt of report from District Inspector, the Deputy Superintendent of Police, Anti Corruption Bureau, Eluru registered the report of Sri Pothana Ashok as a case in Cr.No.20/RCT-EWG/2008 under sections 7 & 13 (1) (d) read with section 13(2) of the Prevention of Corruption Act,1988 on 17-11-2008 and arrangements were made for laying trap.

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3. And whereas, having completed the pre-trap proceedings on 17-11-2008, the trap party consisting mediators, Sri Pothana Ashok, accompanying witnesses, the Deputy Superintendent of Police, Inspectors and other staff reached the vicinity of the office of the Sri Yadagani Venkata Ramana, formerly Mandal Surveyor Jangareddigudem Mandal at about 14.00hrs., where he was successfully trapped and when the fingers of hands of Sri Yadagani Venkata Ramana were subjected to Sodium Carbonate solution test, the left hand fingers yielded positive result. In pursuance of the statement given by Sri Yadagani Venkata Ramana, the tainted amount of Rs.1500/- was recovered from the left side pant pocket. On verification, the serial numbers of the currency notes were found to tally with that of the serial numbers of the currency notes produced by Sri Pothana Ashok during pre trap proceedings. The Sodium Carbonate solution test conducted on the inner linings of the left side pant pocket of Sri Yadagani Venkata Ramana yielded positive result. The Deputy Superintendent of Police seized the tainted amount, pant of Sri Yadagani Venkata Ramana, resultant solutions and remaining Sodium Carbonate powder for the purpose of further investigation.

4. And Whereas, the Deputy Superintendent of Police, Anti Corruption Bureau, Eluru arrested Sri Yadagani Venkata Ramana, formerly Mandal Surveyor, office of the Tahasildar, Jangareddigudem Mandal, West Godavari District on 17-11-2008 at 19.00hrs at the office of the Tahasildar, Jangareddigudem Mandal and produced him before the Hon'ble Special Judge for SPE & ACB Cases, Vijayawada on 18-11-2008. The Court remanded him for judicial custody. Subsequently he was released on bail.

5. And whereas, in response to the notice dated 30-12-2008 Sri Yadagani Venkata Ramana, formerly Mandal Surveyor, Office of the Tahasildar, Jangareddigudem Mandal, West Godavari District submitted his explanation dated:02-01-2009, in which he denied the allegation of demand and acceptance of bribe.

6. And whereas, the above the said acts of Sri Yadagani Venkata Ramana, formerly Mandal Surveyor, Office of Tahasildar, Jangareddygudem, West Godavari District constitute offences punishable under sections 7 and 13 (2) readwith section 13(1)(d) of the Prevention of Corruption Act,1988 (Act 49 of 1988);

7. And whereas, the Government of Andhra Pradesh, being the competent authority to remove Sri Yadagani Venkata Ramana, Mandal Surveyor, Office of the Tahasildar, Jangareddygudem, West Godavari District from Government service, after fully and carefully examining the material placed before them in respect of the above said allegations and having regard to the facts and circumstances of the case consider that the said Sri Y.Venkata Ramana, Mandal Surveyor should be prosecuted in a court of law for the aforesaid offences;

8. Now, therefore, in exercise of the powers conferred under clause (b) of sub-section (1) of section 19 of the Prevention of Corruption Act,1988 (Act 49 of 1988), the Government of Andhra Pradesh hereby accord sanction for the prosecution of the said Sri Yadagani Venkata Ramana, Mandal Surveyor, Office of the Tahasildar, Jangareddygudem, West Godavari District for the aforesaid offences punishable under sections 7 and 13 (2) read with section 13 (1) (d) of the Prevention of Corruption Act,1988 and for any other cognate offences punishable under any other provisions of law for the time being in force in respect of the aforesaid acts and for taking cognizance of the said offences by a court of competent jurisdiction.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

RAJESWAR TIWARI

SECRETARY TO GOVERNMENT

To,
The Director, Anti Corruption Bureau, Hyderabad.

//FORWARDED BY ORDER//

SECTION OFFICER